

250 percent of the minimum daily requirement for that substance was misleading since such statements created the impression that a minimum daily requirement for copper peptonate has been established, whereas a minimum daily requirement for copper peptonate has not been established; and, Section 403 (j), the article purported to be and was represented for special dietary use by reason of its vitamin and mineral content, and its label failed to bear, as required by the regulations, a statement of the amount of iodine contained in the article and the statement "The need for folic acid, vitamin B₁₂, and manganese hypophosphite in human nutrition has not been established," in the manner prescribed by the regulations.

Further misbranding, Section 403 (f), the information required by Section 403 (j) to appear on the label of the Raymor No. 9 capsules, No. 33 capsules, No. 44 capsules, and No. 47 capsules was not prominently placed thereon in such terms as to render such information likely to be read and understood by the ordinary individual under customary conditions of purchase and use. The Raymor No. 9 capsules, No. 33 capsules, No. 44 capsules, and No. 47 capsules were misbranded in the above respects when introduced into and while in interstate commerce.

The Raymor No. 50 capsules were alleged also to be misbranded under the provisions of the law applicable to drugs, as reported in notices of judgment on drugs and devices, No. 4134.

DISPOSITION: May 25, 1953. Default decree of condemnation and destruction.

MISCELLANEOUS FOOD

20700. Misbranding of Lemon Quick. U. S. v. 113 Cases * * *. (F. D. C. No. 34161. Sample No. 54831-L.)

LIBEL FILED: November 21, 1952, Northern District of Indiana.

ALLEGED SHIPMENT: On or about July 21, 1952, by the J-A Corp., from Chicago, Ill.

PRODUCT: 113 cases, each containing 24 3-ounce bottles, of Lemon Quick at South Bend, Ind.

Examination showed that the article was essentially an artificially colored mixture of citric acid and dextrose, with small quantities of dried lemon juice, lemon oil, calcium phosphate, egg white, and ascorbic acid in imitation of dried lemon juice.

NATURE OF CHARGE: Misbranding, Section 403 (a), the vignette on the label depicting a portion of a lemon with what appeared to be a drop of lemon juice and the following statements in the labeling of the article were false and misleading since they represented and suggested that the article was dried lemon juice, whereas such was not the fact: (Label) "Lemon Quick * * * Powdered Lemon Concentrate Equals the juice of 27 lemons * * * Use exactly as squeezed lemon juice * * * Use for * * * lemonade * * * lemon sauce, lemon ice cream, lemon sherbet, lemon jello * * * To Make Lemon Juice Mix * * * For Delicious Lemonade" and (display card) "Equals the juice of 27 lemons * * * For every Lemon Use!" and "Use exactly as squeezed Lemon Juice."

Further misbranding, Section 403 (c), the article was an imitation of another food, dried lemon juice, and its label failed to bear in type of uniform size and prominence, the word "imitation" and, immediately thereafter, the name of the food imitated; and, Section 403 (f), the information required by

Section 403 (i) to appear on the label, namely, the common or usual name of each ingredient contained therein, was not prominently placed on the label with such conspicuousness (as compared with other words, statements, designs, or devices in the labeling) as to render it likely to be read by the ordinary individual under customary conditions of purchase and use since such information appeared inconspicuously on the label.

DISPOSITION: July 17, 1953. Default decree of condemnation. The court ordered that the product be delivered to a charitable institution for its use and not for sale.

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¹ (20690) Injunction issued.

U. S. Department of Health, Education, and Welfare

FOOD AND DRUG ADMINISTRATION

NOTICES OF JUDGMENT UNDER THE FEDERAL FOOD, DRUG, AND COSMETIC ACT

[Given pursuant to section 705 of the Food, Drug, and Cosmetic Act]

20701-20750

FOODS

The cases reported herewith were instituted in the United States district courts by the United States attorneys, acting upon reports submitted by the Department of Health, Education, and Welfare. Published by direction of the Secretary of Health, Education, and Welfare.

GEO. P. LARRICK, *Commissioner of Food and Drugs.*

WASHINGTON, D. C., September 24, 1954.

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